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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR        | ATTORNEY DOCKET NO.             | CONFIRMATION NO.       |
|--|-------------|-----------------------------|---------------------------------|------------------------|
| 10/608,690   | 06/27/2003  | Ram Gopal Lakshmi Narayanan | 042933/263792                   | 9684                   |
| 826  | 7590        | 09/26/2007                  |                                 |                        |
| ALSTON & BIRD LLP<br>BANK OF AMERICA PLAZA<br>101 SOUTH TRYON STREET, SUITE 4000<br>CHARLOTTE, NC 28280-4000 |             |                             | EXAMINER<br>WILLIAMS, JEFFERY L |                        |
|  |             |                             | ART UNIT<br>2137                | PAPER NUMBER           |
|  |             |                             | MAIL DATE<br>09/26/2007         | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/608,690

Applicant(s)

NARAYANAN, RAM GOPAL  
LAKSHMI

Examiner

Jeffery Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

This action is in response to the communication filed on 1/8/07.

All objections and rejections not set forth below have been withdrawn.

Claims 1 – 20 are pending.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1 – 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Boden et al. (Boden), “System and Method for Managing Security Objects”, U.S. Patent 6,330, 562.**

Regarding claim 1, Boden discloses:

*providing a plurality of security policies (7:51-58), wherein each security policy includes an application instance identifier associated with a security service (15:37-38; 4:17-22; fig. 3b:36; fig. 3d:58), at least two application instance identifiers being associated with different security services that operate according to different protocols at different layers of a multi-layered protocol stack (8:29-38; 54-67 – Boden discloses a*

1 plurality of security services associated with key management and data management.  
2 The security services operating according to different protocols at different layers [ex.  
3 IKE vs. ESP, AH).

4 *and creating at least one security association, wherein the at least one security*  
5 *association is created based upon the at least one security service (2:3-8) associated*  
6 *with at least one application instance identifier to thereby create a centralized key store*  
7 *including the plurality of security policies and the at least one security association (figs.*  
8 *3-3d; 3:23-36).*

9  
10 Regarding claims 6 and 11 they are rejected, at least, for the same reasons as  
11 claim 1, and because Boden further discloses:

12 *a first security gateway configured for providing a plurality of security policies (fig.*  
13 *1:18, 19) ... wherein the first security gateway is configured for applying a security*  
14 *service associated with an identified application instance identifier (4:17-22) to at least*  
15 *one packet of data to thereby transform the at least one packet of data (fig. 3:80),*  
16 *wherein the first security gateway is configured for applying the security service to the at*  
17 *least one packet based upon at least one security policy and at least one security*  
18 *association (fig. 1; 3:60-4:4; 6:13-31); and a second security gateway configured for*  
19 *applying the security service associated with the identified application instance identifier*  
20 *to the at least one transformed packet of data to thereby generate a representation of*  
21 *the at least one packet of data (fig. 1; 3:60-4:4; 6:13-31);*

1        *wherein the processor is configured to relay the at least one transformed packet*  
2        (fig. 1:213; 3:60-4:4).

3  
4        Regarding claims 2, 3, 9, 12, and 14, Boden further discloses a system  
5        comprising sending and receiving gateways. Each gateway further comprises a key  
6        management policy and a data management policy. Each of the specified policies  
7        provides for associated security services. (3:60-4:22). Both the sending and receiving  
8        gateways receive and transmit packets of which are transformed upon transmission or  
9        reception according to the identified application of security services between nodes  
10       (3:1-20; 3:60-4:16; fig. 1).

11  
12       Regarding claims 4, 8, and 13, Boden further discloses:  
13       *at least one security policy further including at least one selector field having at*  
14       *least one selector value in a format common to a plurality of security service protocols,*  
15       *and wherein applying the security service comprises applying the security service*  
16       *further based upon the at least one security policy including the at least one selector*  
17       *value* (11:table 1; figs. 3-3d; 13:1-50; 13:62-14:25). Boden discloses a security policy  
18       having common selector fields utilized to provide security services in accordance with  
19       the protocols defined by the policy.

20  
21       Regarding claims 7, it is rejected, at least, for the same reasons as claims 1 and  
22       6.

Regarding claims 5, 10, and 15, Boden further discloses *creating at least one security association according to an Internet Key Exchange (IKE) technique* (3:60-4:16).

Regarding claims 16 – 20, they are the features and limitations of the above rejected claims embodied as computer instructions upon a medium. Thus, they are rejected, at least, for the same reasons as the above rejected claims, and further because Boden discloses *a computer program product for creating and maintaining a centralized key store* (15:62-16:6).

### ***Response to Arguments***

Applicant's arguments filed 1/8/07 have been fully considered but they are not persuasive.

Applicant argues primarily that:

(i) *In no event, however, does Boden disclose applying a security service other than IPSec such that the security policies include application instance identifiers associated with security services.* (Remarks, pg. 9)

1           In response to applicant's argument that the references fail to show certain  
2 features of applicant's invention, it is respectfully noted that the features upon which  
3 applicant relies (i.e., *applying a security service other than IPSec such that the security*  
4 *policies include application instance identifiers associated with security services*) are not  
5 recited in the rejected claim(s). Although the claims are interpreted in light of the  
6 specification, limitations from the specification are not read into the claims. See *In re*  
7 *Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

8  
9       (ii)   *The claimed invention, on the other hand, recites a centralized key store*  
10 *including a plurality of security policies each of which includes an application instance*  
11 *identifier associated with a respective security service, at least two of the application*  
12 *instance identifiers being associated with different security services.* (Remarks, pg. 9)

13  
14           In response, the examiner kindly notes that prior art discloses security policies  
15 comprising application identifiers "Key Management" [associated with the management  
16 of key generation security services such as IKE] and "Security" [associated with the  
17 management of data authentication and encryption security services]. The security  
18 services provided by these named policies are different.

19  
20       (iii)   *In accordance with the present invention, on the other hand, IPSec is but one of*  
21 *a number of different security services that may be implemented using the claimed*  
22 *centralized key store. Thus, and in further contrast to amended independent Claim 1,*

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1 *under no reasonable interpretation does Boden teach or suggest application instance*  
2 *identifiers associated with different security services that operate according to different*  
3 *protocols. Instead, Boden discloses different policies that all operate according to the*  
4 *same protocol, i.e., IPSec. (Remarks, pg. 9).*

5  
6 In response, the examiner respectfully notes that the applicant's arguments  
7 appear to be base upon a misinterpretation of IPSEC. Applicant is respectfully invited  
8 to review evidentiary teachings concerning IPSEC (Kent et al., RFC 2401, "Security  
9 Architecture for the Internet Protocol", 1998, pgs. 1-66). Boden teaches inter alia the  
10 use of IPSEC. As is known to those of ordinary skill in the art, IPSEC is a security  
11 architecture. This framework enables to provision of a *plurality of security services that*  
12 *operate according to a plurality of protocols.*

13  
14 (iv) *Even if one could argue that the IPSec protocol supports different security*  
15 *services according to different protocols, however, Applicant notes that all of those*  
16 *services and protocols operate at the network (IP) layer of the TCP/IP protocol stack. As*  
17 *now recited by amended independent Claim 1, however, the claimed invention permits*  
18 *different services and protocols at different layers of a multilayer protocol stack.*  
19 (Remarks, pg. 9)

20  
21 In response, the examiner respectfully notes that IKE does not operate at the  
22 network layer along with IPSec protocols.



(v) As explained in the specification, these services may include at least IPsec service at the network layer of the TCP/IP protocol stack, and Secure Sockets Layer/Transport Layer Security (SSL/TLS) at the application layer of the TCP/IP protocol stack. See, e.g., Pat. Appl., page 8, lines 8-12. (Remarks, pg. 9, 10)

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., services may include at least ...Secure Sockets Layer/Transport Layer Security (SSL/TLS) at the application layer of the TCP/IP protocol stack) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

**See Notice of References Cited**

1           **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time  
2 policy as set forth in 37 CFR 1.136(a).

3           A shortened statutory period for reply to this final action is set to expire **THREE**  
4 **MONTHS** from the mailing date of this action. In the event a first reply is filed within  
5 **TWO MONTHS** of the mailing date of this final action and the advisory action is not  
6 mailed until after the end of the **THREE-MONTH** shortened statutory period, then the  
7 shortened statutory period will expire on the date the advisory action is mailed, and any  
8 extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of  
9 the advisory action. In no event, however, will the statutory period for reply expire later  
10 than **SIX MONTHS** from the mailing date of this final action.

11           Any inquiry concerning this communication or earlier communications from the  
12 examiner should be directed to Jeffery Williams whose telephone number is (571) 272-  
13 7965. The examiner can normally be reached on 8:30-5:00.

14           If attempts to reach the examiner by telephone are unsuccessful, the examiner's  
15 supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone  
16 number for the organization where this application or proceeding is assigned is (703)  
17 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Williams  
AU 2137

JW

  
EMMANUEL L. MOISE  
SUPERVISORY PATENT EXAMINER